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MARLON KENNEDY
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MARLON KENNEDY,

15 Defendant.
16

Case No. 5:23-po-00367

STATUS REPORT; STIPULATION TO
TERMINATE PROBATION PURSUANT TO 18
U.S.C. §3564(C); ~~PROPOSED~~ ORDER

17 **IT IS HEREBY STIPULATED**, by and between the parties, through their respective
18 counsel, Assistant United States Attorney Chan Hee Chu, counsel for the plaintiff, and Assistant
19 Federal Defender Laura Myers, counsel for Marlon Kennedy, that the Court may terminate
20 Mr. Kennedy's term of probation because such action is warranted by the conduct of the
21 defendant and the interest of justice. *See* 18 U.S.C. § 3564(c).

22 On February 8, 2024, this Court sentenced Mr. Kennedy for driving under the influence
23 of alcohol, in violation of 36 CFR § 4.23(a)(2). ECF #10. The Court imposed a twelve-month
24 term of probation with an expiration date of March 1, 2025. The Court ordered Mr. Kennedy to
25 pay a fine of \$1,000, a special assessment of \$10, and a processing fee of \$30, for a total
26 financial penalty of \$1,040. In addition, the Court ordered Mr. Kennedy to complete a First-
27 Time Offender DUI course by November 5, 2024. The Court set a review hearing for November
28 5, 2024.

On October 22, 2024, the parties reported that Mr. Kennedy had timely completed the First-Time Offender DUI course and requested that the status hearing be continued to February 4, 2025. This Court granted the parties' request. ECF #13, 15.

Mr. Kennedy has now satisfied the remaining terms of his probation. As of January 23, 2025, he has paid his financial penalty in full. *See* ECF #16. Accordingly, the parties submit that termination of probation and is warranted by Mr. Kennedy's compliance and is in the interest of justice.

Respectfully submitted,

MICHELE BECKWITH
Acting United States Attorney

Date: January 28, 2025

/s/ Chan Hee Chu
CHAN HEE CHU
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: January 28, 2025

/s/ Laura Myers
LAURA MYERS
Assistant Federal Defender
Attorney for Defendant
MARLON KENNEDY

ORDER

IT IS SO ORDERED. Pursuant to 18 U.S.C. § 3564(c), the Defendant's term of probation is hereby terminated given his satisfaction of all probationary terms and in the interests of justice.

FURTHER, the status conference scheduled for February 4, 2025, is VACATED.
IT IS SO ORDERED.

Dated: January 28, 2025


UNITED STATES MAGISTRATE JUDGE